

REMARKS

Status of the Claims

In further review and consideration of the Office Action mailed October 13, 2004 and supplemental to the Amendment and Reply filed on January 13, 2005, applicant respectfully requests entry and consideration of this Supplemental Amendment because it essentially adopts examiner suggestions discussed in an interview conducted on January 14, 2005. Claims 1-24 were pending in the application. Claims 1, 14, 17, 18, 21, 23, and 24 have been amended, no claims have been canceled, and claims 25 and 26 have been newly added. Therefore claims 1-26 are pending and are submitted for reconsideration.

This amendment changes and adds claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, are presented, with an appropriate defined status identifier.

Examiner Interview

Applicant's representative thanks the examiner for the interview on January 14, 2005. In the interview, the differences between the pending claims 1 and 14 and the prior art Okazaki reference (JP 08-104219) were discussed. In addition, the amendment to claims 1 and 14 to clarify the input of the road wheel velocity (V_w) (as an example of a signal indicative of a road wheel status) in the second wheel cylinder brake liquid pressure estimating section or step. The features recited in pending claims 1 and 14 as well as in the newly added claims 25 and 26 were discussed with respect to the Okazaki reference.

Prior Art Rejection

In the Office Action, claims 1-14 were rejected under 35 U.S.C. § 102(b) as being anticipated by Okazaki. As discussed in the interview and for the reasons discussed in the Amendment and Reply filed on January 13, 2005, which is incorporated herein, the pending independent claims are distinguishable over the disclosure of Okazaki.

Specifically, each of the rejected independent claims 1 and 14 recite, *inter alia*, that a second wheel cylinder brake liquid pressure estimating section (or step) estimates a second brake liquid pressure of the wheel cylinder for each road wheel on the basis of a vehicular

model in which a signal indicative of road wheel status is itself used as an element of the model. Examples of such a road wheel status signal include the road wheel velocity or the road wheel acceleration as discussed on page 15, lines 11-15 and figures 6-7 of the originally filed specification.

In sharp contrast, Okazaki discloses the use of vehicular status as an element of its model for estimating a master cylinder fluid pressure. That is, in the Okazaki model, any wheel speed values sensed are used to calculate a car body deceleration (Dvr) which is a vehicular status in sharp contrast to the claimed use of the road wheel status itself as an element of a vehicular model in the pending independent claims 1 and 14. Therefore, at least these features recited in the pending independent claims are not disclosed or suggested by the applied prior art.

As further recited in dependent claims 25 and 26, the signal indicative of a road wheel status (for example, a road wheel velocity or acceleration) is used as a separately calculated factor in the vehicular model. This recited feature is not disclosed or suggested by Okazaki and provides an additional reason for the patentability of these claims.

The specific differences between the features recited in the other independent claims and the Okazaki reference, and its advantages, were discussed in the Amendment and Reply filed on January 13, 2005 (pages 14-17) and are not repeated herein.

Conclusion

In view of the foregoing supplemental amendments and remarks, applicant believes that the application is in condition for allowance. If there are any questions regarding the application, or if an examiner's amendment would facilitate the allowance of one or more of the claims, the examiner is courteously invited to contact the undersigned attorney at the local telephone number below.

Should additional fees be necessary in connection with the filing of this paper, or if a petition for extension of time is required for timely acceptance of same, the Commissioner is hereby authorized to charge deposit account No. 19-0741 for any such fees; and applicant hereby petitions for any needed extension of time.

Respectfully submitted,

Date January 28, 2005

FOLEY & LARDNER LLP

Customer Number: 22428

Telephone: (202) 672-5485

Facsimile: (202) 672-5399

By Aaron C. Chatterjee

Pavan K. Agarwal

Registration No. 40,888

Aaron C. Chatterjee

Registration No. 41,398

Attorneys for Applicant